

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CORWIN HARRIS,
Plaintiff,

v.

WARDEN MAY, *et al.*,
Defendants.

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CIVIL ACTION NO. 19-CV-0196

FILED

MAR 13 2019

INTERIM, Clerk
By _____ Dep. Clerk

ORDER

AND NOW, this 13 day of March, 2019, upon consideration of *pro se* Plaintiff Corwin Harris's Motion for Leave to Proceed *In Forma Pauperis* (ECF No. 1), Prisoner Trust Fund Account Statement (ECF No. 5), and Complaint (ECF No. 2), it is **ORDERED** that:

1. Leave to proceed *in forma pauperis* is **GRANTED**.
2. Harris, #836120, shall pay the full filing fee of \$350.00 in installments, pursuant to 28 U.S.C. § 1915(b). Based on the financial information provided by Harris, an initial partial filing fee of \$10.33 is assessed. The appropriate official at the Curran-Fromhold Correctional Facility or at any other prison at which Harris may be incarcerated is directed to deduct \$10.33 from Harris's inmate trust fund account, when such funds become available, and forward that amount to the Clerk of the United States District Court for the Eastern District of Pennsylvania, 601 Market Street, Room 2609, Philadelphia, PA 19106, to be credited to Civil Action No. 19-196. After the initial partial filing fee is collected and until the full filing fee is paid, the appropriate official at the Curran-Fromhold Correctional Facility or at any other prison at which Harris may be incarcerated, shall deduct from Harris's account, each time that Harris's inmate trust fund account exceeds \$10.00, an amount no greater than 20 percent of the money credited

to his account during the preceding month and forward that amount to the Clerk of Court at the address provided above to be credited to Civil Action No. 19-196.

3. The Clerk of Court is **DIRECTED** to send a copy of this Order to the Warden of the Curran-Fromhold Correctional Facility.

4. The Complaint is **DEEMED** filed.

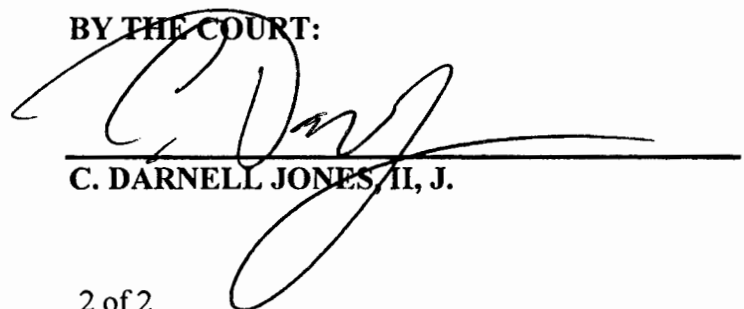
5. The Complaint is **DISMISSED without prejudice** for failure to state a claim, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), and for failure to comply with Rules 8 and 10 of the Federal Rules of Civil Procedure, for the reasons set forth in the Court's Memorandum.

6. Harris is given leave to file an amended complaint within thirty (30) days of the date of this Order if he can state a plausible claim for relief against a proper defendant. Any individual or entity that is not listed in the caption of the amended complaint will not be treated as a defendant. Any amended complaint must be a complete document that describes in detail the basis for Harris's claims against each defendant. If Harris files an amended complaint, the Clerk shall not make service until so **ORDERED**.

7. The Clerk of Court is **DIRECTED** to send Harris a copy of this Court's form complaint to be used by a prisoner filing a civil rights action pursuant to 42 U.S.C. § 1983. The Clerk of Court shall write the civil action number of this case on the form. Harris may use this form to prepare his amended complaint.

8. If Harris fails to file an amended complaint, his case may be dismissed without prejudice for failure to prosecute without further notice.

BY THE COURT:


C. DARNELL JONES, II, J.